IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14577 of 2004

Between:

M/s Hindustan Lever Limited, Moosapet, Hyderabad, rep.by its Sales Officer, Mr.V.G.Mohan Raj

..... PETITIONER

AND

1 The Assistant Commissioner (CT), Hyderabad Rural Division,

Hyderabad
2 The Appellate Deputy Commissioner (CT), Hyderabad Rural

Division, Hyderabad
3 The Additional Commissioner (CT) Legal, Andhra Pradesh,

Nampally, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or order or direction restraining the 1st respondent from taking any coercive steps for recovery of balance disputed tax of Rs.58,24,899/- for the assessment year 2000-01 pending disposal of the appeal before the 2nd Respondent or stay application before the 3rd Respondent

WRIT PETITION NO : 14589 of 2004

Between:

M/s. Hindustan Lever Limited, Moosapet, Hyderabad,
rep by its Sales Officer, Mr. V.G. Mohan Raj.

..... PETITIONER

AND

1 The Assistant Commissioner (CT), Hyderabad Rural Division,

Hyderabad.
2 The Appellate Deputy Commissioner(CT). Hyderabad Rural Division,
Hyderabad.
3 The Additional Commissioner (CT) Legal, Andhra Pradesh,

Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction restraining the 1st Respondent from taking any coercive steps for recovery of balance disputed tax of Rs. 1,08,12,361/- for the assessment year 1999-2000 pending disposal of the appeal before the 2nd Respondent or stay application before the 3rd Respondent and pass

Counsel for the Petitioners:MR.P.SRINIVASA REDDY

Counsel for the Respondents: GP FOR COMMERCIAL TAX

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties.

The only grievance of the petitioner is that though stay applications has been heard by third respondent, the orders have not been pronounced till date and on the other hand, the respondents are taking coercive measures to make the recovery.

We feel that the writ petitions can be disposed of with a direction to third respondent

to dispose of the stay applications in which arguments have already been heard within a week from the date of receipt of a copy of this order. Till he disposes of the stay applications, coercive steps may not be taken against the petitioner. No order as to costs.

_____

(BILAL NAZKI, J)

18th August, 2004.

_____

(S.ANANDA REDDY, J)

Note: Issue operative portion by wire

at party's cost.

Vrn

To

1 The Assistant Commissioner (CT), Hyderabad Rural Division,

Hyderabad

2 The Appellate Deputy Commissioner (CT), Hyderabad Rural

Division, Hyderabad

3 The Additional Commissioner (CT) Legal, Andhra Pradesh,

Nampally, Hyderabad

4 Two C.Cs to the Government Pleader for Commercial Tax,

High Court Buildings, A.P., Hyderabad (OUT)

5 Two C.D copies